

Application denied.

The deadline for submission of a Proposed Joint Pretrial Order and the date and time of the Case Management Conference remain unchanged.

The Clerk of the Court is respectfully directed to terminate the motion sequence pending at Doc. 131.

SO ORDERED.



Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
April 21, 2022



THE STATE OF NEW YORK  
THE ATTORNEY GENERAL

DIVISION OF STATE COUNSEL  
LITIGATION BUREAU

April 20, 2022

Re: Constant v. Dapcevic, 16-cv-3985 (PMH)

Dear Judge Halpern:

This office represents the remaining defendants Correction Officers (CO) Dapcevic, Alban and Sturtevant, in this action by a formerly incarcerated individual alleging excessive force and failure to protect arising from an incident at Green Haven Correctional Facility. I write jointly with counsel for plaintiff to respectfully request a three month extension of the time, from April 27 until July 27, 2022, to submit a proposed Joint Pretrial Order (JPTO) and a corresponding adjournment of the conference currently scheduled for May 4, 2022. The additional time is needed because the attorneys who handled the case for both sides, through briefing of the recently decided summary judgment motion, have left employment with their respective offices. New attorneys need time to become familiar with the case files and in defendants' case, as I have been assigned to the case in an administrative capacity, trial counsel is in the process of being selected. The parties also intend to use the additional time to explore the possibility of settlement. This is the first request to extend the JPTO deadline, which was set in the Court's March 29, 2022, order on the summary judgment motion.

Respectfully submitted,

/s/ Steven N. Schulman  
STEVEN N. SCHULMAN  
Deputy Section Chief  
(212) 416-8654  
[steven.schulman@ag.ny.gov](mailto:steven.schulman@ag.ny.gov)

cc: Steven Charles Stern (by ECF)  
Sokoloff Stern LLP  
179 Westbury Avenue,  
Carle Place, NY 11514